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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ELLEN BERNFELD,

Defendant.

Adv. Pro. No. 10-04918 (SMB)

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MARILYN BERNFELD TRUST; HERBERT  
BERNFELD RESIDUARY TRUST, in its own  
capacity and as a partner of H&E Company – A  
Partnership and Bernfeld Joint Venture – A  
Partnership; H&E COMPANY – A PARTNERSHIP;  
BERNFELD JOINT VENTURE – A  
PARTNERSHIP; MARILYN BERNFELD, in her  
capacity as a partner of H&E Company – A  
Partnership and Bernfeld Joint Venture – A  
Partnership, and as Trustee for the Marilyn Bernfeld  
Trust and the Herbert Bernfeld Residuary Trust;  
ELLEN BERNFELD, in her capacity as a partner of  
H&E Company – A Partnership and Bernfeld Joint  
Venture – A Partnership; and THOMAS  
BERNFELD, in his capacity as a partner of Bernfeld  
Joint Venture – A Partnership,

Defendants.

Adv. Pro. No. 10-05143 (SMB)

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MICHAEL A. BELLINI, individually and as a joint  
tenant; and JUDITH BELLINI, individually and as a  
joint tenant,

Defendants.

Adv. Pro. No. 10-04841 (SMB)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE'S  
CONSOLIDATED MOTION FOR SANCTIONS**

Irving H. Picard (the "Trustee"), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA") and the chapter 7 estate of Bernard L. Madoff ("Madoff"), by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On April 18, 2016, the Trustee filed a Consolidated Motion for Sanctions against the following Defendants in three adversary proceedings (Adv. Pro. No. 08-01789 at ECF No. 13127):

- a. Ellen Bernfeld;<sup>1</sup>
- b. The Marilyn Bernfeld Trust; H&E Company – A Partnership; Bernfeld Joint Venture – A Partnership; the Herbert Bernfeld Residuary Trust, in its own capacity and as a partner of H&E Company – A Partnership and Bernfeld Joint Venture – A Partnership; Marilyn Bernfeld in her capacity as a partner of H&E Company – A Partnership and Bernfeld Joint Venture – A Partnership, and as Trustee for the Marilyn Bernfeld Trust and the Herbert Bernfeld Residuary Trust; Ellen Bernfeld, individually and in her capacity as a partner of H&E Company individually and in her capacity as a partner of H&E Company – A Partnership and Bernfeld Joint Venture – A Partnership; and Thomas Bernfeld, in his capacity as a partner of Bernfeld Joint Venture – A Partnership;<sup>2</sup>
- c. Michael A. Bellini and Judith Bellini, individually and as a joint tenants;<sup>3</sup>

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<sup>1</sup> Adv. Pro. No. 10-04918, at ECF No. 21.

<sup>2</sup> Adv. Pro. No. 10-05143, at ECF No. 24.

<sup>3</sup> Adv. Pro. No. 10-04841, at ECF No. 27.

2. On April 19, 2016, pursuant to Defendants' counsel's request, the Court extended the date for Defendants' to file a response to the Motion and set a hearing on the Motion for May 18, 2016 at 10:00am. The deadline for filing objections to the Motion expired on May 6, 2016 at 5:00 p.m. (Adv. Pro. No. 10-04918, at ECF No. 23; Adv. Pro. No. 10-05143, at ECF No. 26; Adv. Pro. No. 10-04841, at ECF No. 29).

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to Timothy Wedeen, counsel for Defendants (Adv. Pro. No. 10-04918, at ECF No. 22; Adv. Pro. No. 10-05143, at ECF No. 25; Adv. Pro. No. 10-04841, at ECF No. 28).

4. Counsel reviewed the Court's docket not less than forty-eight (48) hours after expiration of the time to file a response, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon.

5. An electronic copy of a proposed order (the "Order"), that is substantially in the form of the proposed order that was annexed to the Consolidated Motion for Sanctions is attached hereto as Exhibit A.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Dated: New York, New York  
May 11, 2016

Of Counsel:

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*/s/ Nicholas J. Cremona*

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